

AMENDED COMPLAINT FOR A CIVIL CASE 2:23-cv-12151-DML-KGA

**I. The Parties to This Complaint**

**A. The Plaintiff**

|      |                   |
|------|-------------------|
| Name | Gaye Morgenthaler |
|------|-------------------|

**B. The Defendants**

Defendant No. 1

|                    |                                   |
|--------------------|-----------------------------------|
| Name               | City Council of Chelsea, Michigan |
| Street Address     | 305 S. Main St. Suite 100         |
| City and County    | Chelsea, Washtenaw County         |
| State and Zip Code | Michigan 48118                    |
| Telephone Number   | 734-475-1771                      |

Defendant No. 2

|                    |  |
|--------------------|--|
| Name               | Jane Pacheco   |
| Job or Title       | Mayor of the City of Chelsea, Michigan;<br>Chelsea Public Safety Strategic Planning Group Member<br>Vice-President, One World One Family |
| Street Address     | 305 S. Main St. Suite 100  |
| City and County    | Chelsea, Washtenaw County  |
| State and Zip Code | Michigan 48118   |
| Telephone Number   | 734-475-1771   |

Defendant No. 3

|                    |   |
|--------------------|---|
| Name               | Mariah Evans Fink   |
| Job or Title       | Attorney for the City of Chelsea<br>Partner at Fink & Fink PLLC |
| Street Address     | 305 S. Main St. Suite 100                                       |
| City and County    | Chelsea, Washtenaw County                                       |
| State and Zip Code | Michigan 48118  |

Telephone Number 734-475-1771

Defendant No. 4

Name Public Safety Strategic Planning Group  
Street Address 305 S. Main St. Suite 100  
City and County Chelsea, Washtenaw County  
State and Zip Code Michigan 48118  
Telephone Number 734-475-1771

Defendant No. 5

Name Southeast Michigan Criminal Justice Policy Research Project  
Street Address Eastern Michigan University  
City and County Ypsilanti, Washtenaw County  
State and Zip Code Michigan 48197  
Telephone Number 734-487-1849

Defendant No. 6

Name Joanne Ladio,  
Job or Title Member of the City of Chelsea Human Rights Commission  
President, One World One Family  
Street Address 305 S. Main St. Suite 100  
City and County Chelsea, Washtenaw County  
State and Zip Code Michigan 48118  
Telephone Number 734-475-1771

Defendant No. 7

Name Tony Iannelli,  
Job or Title Member of the Chelsea City Council & Mayor Pro Tea  
Council Liaison to the Chelsea Human Rights Commission  
Street Address 305 S. Main St. Suite 100  
City and County Chelsea, Washtenaw County

|                    |                |
|--------------------|----------------|
| State and Zip Code | Michigan 48118 |
| Telephone Number   | 734-475-1771   |

Defendant No. 8

|                    |  |
|--------------------|--|
| Name               | Bill Ruddock   |
| Job or Title       | Member of the Chelsea City Council<br>Council Liaison to the Chelsea School District |
| Street Address     | 305 S. Main St. Suite 100  |
| City and County    | Chelsea, Washtenaw County  |
| State and Zip Code | Michigan 48118   |
| Telephone Number   | 734-475-1771   |

Defendant No. 9

|                    |  |
|--------------------|--|
| Name               | James “Jason” Eyster   |
| Job or Title       | Trustee of the Chelsea School Board<br>Former President of the Chelsea School Board<br>Former Board Member of One World One Family |
| Street Address     | 500 Washington Street  |
| City and County    | Chelsea, Washtenaw County  |
| State and Zip Code | Michigan 48118   |
| Telephone Number   | 734-433-2200   |

Defendant No. 10

|                    |                                       |
|--------------------|---------------------------------------|
| Name               | Eric Wilkinson                        |
| Job or Title       | President of the Chelsea School Board |
| Street Address     | 500 Washington Street                 |
| City and County    | Chelsea, Washtenaw County             |
| State and Zip Code | Michigan 48118                        |
| Telephone Number   | 734-433-2200                          |

Defendant No. 11

|                    |  |
|--------------------|--|
| Name               | Kristin van Reeseema   |
| Job or Title       | Former President of the Chelsea School Board<br>Member, Chelsea Public Safety Task Force |
| Street Address     | 500 Washington Street  |
| City and County    | Chelsea, Washtenaw County  |
| State and Zip Code | Michigan 48118   |
| Telephone Number   | 734-433-2200   |

Defendant No. 12

|                    |  |
|--------------------|--|
| Name               | Julie Helber, Ph.D                                   |
| Job or Title       | Former Superintendent of the Chelsea School District |
| Street Address     | 500 Washington Street                                |
| City and County    | Chelsea, Washtenaw County                            |
| State and Zip Code | Michigan 48118                                       |
| Telephone Number   | 734-433-2200   |

Defendant No. 13

|                    |  |
|--------------------|--|
| Name               | Mike Kapolka   |
| Job or Title       | Superintendent of the Chelsea School District<br>Former Principal of Chelsea High School |
| Street Address     | 500 Washington Street  |
| City and County    | Chelsea, Washtenaw County  |
| State and Zip Code | Michigan 48118   |
| Telephone Number   | 734-433-2200   |

Defendant No. 14

|                 |                                  |
|-----------------|----------------------------------|
| Name            | Nick Angel, Ph.D                 |
| Job or Title    | Principal of Chelsea High School |
| Street Address  | 500 Washington Street            |
| City and County | Chelsea, Washtenaw County        |

|                    |                |
|--------------------|----------------|
| State and Zip Code | Michigan 48118 |
| Telephone Number   | 734-433-2200   |

DOES 1-30

## **II. Basis for Jurisdiction**

|                          |  |
|--------------------------|--|
| 42 U.S. Code 1983        | Civil action for deprivation of rights   |
| 18 U.S.C. 242            | Deprivation of Rights Under Color of Law |
| 18 U.S.C. 241            | Conspiracy Against Rights                |
| 18 U.S.C. 371            | Conspiracy to commit offense             |
| 18 U.S.C. 666            | Program Fraud (enacted 1984)             |
| 18 U.S.C. 1341<br>1342   | Federal Mail Fraud<br>Federal Wire Fraud |
| 18 U.S.C. 1961           | Racketeering                             |
| Executive Order 13818    | Corruption                               |
| 1st Amendment Violation? |  |

## **III. Statement of Claim**

I am a wife and the mother of a young child in the City of Chelsea, located in Washtenaw County, Michigan. Two years ago we fled San Francisco where my extended family lives to settle near my husband's family in Chelsea.

Chelsea used to be a quaint town of 5,700 residents. It even has its own police department, which is remarkable for a small town. When we moved here, there were 12 officers in Chelsea's police department and the town's demographics are 95% white.

But police turnover has skyrocketed in the wake of a local gang takeover of Chelsea. And police call-outs have risen more than 50% in just the past year.

We in Chelsea are suffering deprivation of rights under color of law, most recently through a rigged “reimagining” of the Chelsea Police Department. The instigators of the fraud include members of the Chelsea City Council and the Chelsea Human Rights Commission.

Also, gang members gained control of the Chelsea School Board and school administrators some time ago. The corrupt school board even allowed Defendant Julie Helber and Defendant Nick Angel *to order Chelsea police officers off school grounds*.

Chelsea schools are seeing theft, drug-dealing in our middle school and so much vaping in restrooms that students have “greened out.” And for many years, students congregated in the high school’s “Stairway D” to smoke and have sex because that stairway had no cameras. (It was only after I complained during Public Comment about Stairway Day that cameras were installed.)

Chelsea’s school board has covered up all kinds of criminal behavior. Defendant and former school board President Kristin van Reesema’s nephew, who was a Chelsea school employee, viewed porn on his school computer. The incident was hushed up and he was allowed to resign with no further consequences.

Possibly the worst events hushed up by school administrators were three or more rapes committed by one Chelsea high school student in 2022. That crime spree ended when one of the victims finally went to a school social worker and reported the rape. The police officer who investigated the rapes later told me, “The girls all said they didn’t know who to turn to.”

Despite this mayhem, Chelsea School Board refuses to vote on whether to allow resource officers in Chelsea’s four schools. As one long-serving teacher told me last spring, “I didn’t sign up to be a policeman!

Nor will the board vote on allowing teachers to carry firearms, as is legal under Michigan law.

And despite Chelsea School District’s explicit policy allowing parents to make school board presentations, the school board presidents and superintendents have twice denied my request to present on School Security.

There are also some very odd dealings with China in Chelsea school district. Reportedly in late 2019, the Intermediate School District told Chelsea that China would pay \$10,000 or more per Chinese student who was enrolled. So Defendant Mike Kapolka went on a recruiting run to China and was able to recruit an estimated 10 Chinese students to attend Chelsea High School.

I’m told the Chinese students never assimilated. But we have no idea whether those students brought Covid with them.

And absurd as it sounds, little Chelsea may have a Chinese Communist Party agent on our school board. Defendant James “Jason” Eyster worked at Peking University decades ago and claims he ran the Princeton in Asia program. When a fellow school board member posted this meme about Covid on her *personal* Facebook, Eyster demanded she face a school board hearing. The school board member was forced to apologize to the community.



Some months later, Eyster tried to abridge my First Amendment rights.

It was during the “Public Comment” section of a Chelsea School Board meeting in June 2022. That was post-Covid when many teachers were leaving the profession and I was telling the school board that our K-2 school principal was forcing long-time Chelsea teachers out of our K-2 school.

That’s when Eyster told me to stop talking.

This was stunning because Eyster graduated from Princeton and Fordham Law School and has been an attorney for some 50 years. Eyster claims he handles litigation against banks like JPMorgan for commodities manipulation.

So Eyster is very well-versed in the law, yet he deliberately violated the First Amendment in an attempt to hide malfeasance at our K-2 school.

Surprised, I responded, “Mr. Eyster, you will *not* abridge my First Amendment rights!”

Eyster stopped speaking. But at the next school board meeting, Eyster gave a 7-minute peroration on how we in Chelsea must be nice to one another. (video available)

And the sequelae? I continued describing the corrupt principal’s misdeeds at subsequent Public Comment during school board meetings.

The corrupt principal was terminated five months later.

### **The gang's latest fraud**

Not content with controlling the City of Chelsea and our school district, it appears the gang now wants to control the state highway that runs through Chelsea. Here in Chelsea it's dubbed "Main Street" in Chelsea, but it's actually Michigan's M-52 state highway.

Thus the gang now wants a Citizen Oversight Committee to monitor Chelsea's police force, further tightening the gang's chokehold on Chelsea.

For example, a few months ago an acquaintance of mine was driving through Chelsea when he was pulled over by a Chelsea police officer. My friend explained he had not crossed a solid white line as the officer thought, and the officer let him go. Perhaps as apology, the officer told my friend,

*"The mayor wants us to pull everyone over."*

So — is Defendant Pacheco and her gang now creating their own little police state?

**Note:** In amending my lawsuit, I am oddly indebted to [www.dropcharges.com](http://www.dropcharges.com) and "The M-52 Movement" on Facebook. I'm not a member of either group but their pages are public and can be viewed by anyone.

What's odd is the M-52 Movement posted all seven pages of my original lawsuit on their Facebook page. *They even included analysis of it.* [Exhibit A]

The M-52 gang pointed out mistakes I made in my original filing....but their admins are no fans of mine. Nor are they fans of the Court. M-52 folks are long-time supporters of the Defendants, and their analysis of my request for remedy is not an amicus brief:

““Will you appoint a magistrate to take over’ - authoritarian rule”

### **Background**

It's not clear exactly when this gang began their takeover of Chelsea. It may have begun in 2017 when Chelsea City Council created a Human Rights Commission. Defendant Pacheco enthusiastically organized it with then-mayor Melissa Johnson, but I'm told the two later had a falling-out.



Lawlessness in Chelsea apparently ratcheted up in May 2020 when a man rammed his truck through the glass doors of the Chelsea Police Department and through the lobby into council chambers.

Miraculously, no one was hurt or killed. But it's starting to look like a pattern because someone rammed through the wall of the Chelsea CVS drugstore in September 2023.

I do not know whether the police department attacker was involved with the Chelsea gang. But the timing is suspect because the next phase of the conspiracy surfaced three weeks later.

It started on June 4th, 2020 at a Chelsea public park rally for Black Lives Matter. The rally was sponsored by a local group named One World One Family (OWOF) and news reports claim about 300 people attended the rally. Witnesses also told me some of the attendees were bused in.

When the rally finished, some of the attendees turned and marched up the M-52 highway (Main Street). They had no permit to block M-52 but Chelsea Police protected them and did not issue tickets. Witnesses say Defendant Pacheco, former Chelsea mayor Melissa Johnson, Defendants Tony Iannelli and Bill Ruddock and many others marched in that illegal protest.

Later that day, texts went out to rally attendees. The texts were invitations to join a protest march one week later on M-52.

And even though *there were putatively no official organizers*, protesters who showed up June 11th were briefed on the protest route.

I don't know when the protesters dubbed themselves "Anti-Racist Chelsea Youth" (known as "ARCY.") But citizens noticed ARCY's "raised fist" logo was virtually the same as BLM's.

ARCY's watchwords were "These racist cops have got to go!" and  
"All Cops Are Bastards" (ACAB)

And every week the protesters deliberately blocked Main Street at rush hour on Thursday nights.

Chelsea Police Chief Ed Toth repeatedly told protesters to get a permit that would allow them to legally block the street. But the protesters simply refused to do so.

Three assaults are alleged to have occurred during those protests. One or more of the alleged assaults appear to have been fake, but they also increased the level of conflict between Chelsea residents. And in a move that looks like a payoff, the mother of one "victim" was subsequently appointed Chelsea's new Finance Director/Treasurer.

Finally on July 31st of 2020, Chief Toth warned protesters that if they blocked the streets again, Chelsea police would surveil and ticket them by mail. Some protesters were undeterred, and in the next few months, police mailed 47 civil infraction tickets to 29 illegal protesters.

Defendant Pacheco, who was then a Chelsea City Council member, called Chief Toth and requested he drop the tickets. Washtenaw County Judge Patrick Conlin, who marched in at least one illegal protest according to witnesses, also called Chief Toth to drop the tickets. Both phone calls were included in the police report sent to Prosecutor Eli Savit.

For reasons unclear, Savit allowed Pacheco's and Conlin's unethical and presumably illegal actions to go unpunished.

Then.....Chelsea City Council voted unanimously to drop the tickets.

But as Chief Toth told me later, "Tickets can't be dropped once they're entered in the system." As the Court knows, tickets can only be dropped if they are issued in error. That was not the case here and Chief Toth refused to follow an illegal order.

So, in February 2021, protesters who'd received tickets mobbed Chief Toth outside the Chelsea Police building, yelling "Surround him!! Surround him!!"

Pressed on all sides, Chief Toth nonetheless remained calm. No violence ensued.

Protesters then went to court to dispute the tickets. Washtenaw County Judge Anna Frushour ruled in favor of the protesters on 1st Amendment grounds and threw the tickets out.

Yet the protests seem clearly illegal because the protesters

- (a) refused to obtain a permit to repeatedly block the M-52 state highway, and
- (b) refused to remain on the sidewalk without obstructing pedestrians

Nine months later, Defendant Pacheco was elected Mayor of Chelsea.

Three months after she was elected, Chief Toth resigned.

He'd served Chelsea for 17 years. But he said he refused to take illegal orders from Pacheco. Four other police officers also quit, plus the top five City Hall staff, including the finance director and the city manager of 15 years.

Free to do as she liked, Pacheco hired a new city manager named Roy Atkinson.

He lasted one year before he too resigned.

We're now on our third city manager in two years.

And as cover for the gang's subversion of Chelsea, Defendant Pacheco and the gang on our city council used our tax dollars to commission at least four attempts to portray Chelsea residents as dissatisfied with Chelsea Police:

- 1) Bruce Judge Report (Whistleblower Law Collaborative) in 2020 cost ~ \$4,000
- 2) “Bobcat” Report (Bobcat Training & Consulting) in 2021 cost ~ \$35,000
- 3) Public Safety Task Force in 2022 cost ???

When Defendant Kristin van Reesema of the 14-member “Public Safety Task Force” submitted their final report, the recommendation was to create a Citizen Oversight Committee.

Then in May 2022, two of Mayor Pacheco’s friends who’d received tickets for the illegal protests filed a lawsuit against Chelsea Police. The lawsuit demanded release of police misconduct records.

Washtenaw County Judge Patrick Conlin was assigned to oversee the case and ruled in favor of the plaintiffs. He awarded them over \$4000 as well as records of alleged police misconduct.

The gang apparently took that as license to launch their 2023 attempt to subvert the Chelsea police, which is now in process:

- 4) The Public Safety Strategic Planning Group (SPG) in 2023 cost > \$25,000

— *This group even created its own subcommittee, which is not open to the public.*

— I am told the subcommittee is illegal under the Open Meetings Act if they’re trying to hide what they’re doing.

Chelsea City Council or the SPG hired professors from Eastern Michigan University, whom they’re paying \$25,000 ostensibly to give “training.” The professors are part of the “Southeast Michigan Criminal Justice Policy Research Project.” (Here I abbreviate their name “SMCJPRP” though the professors prefer to be labelled “SMART.”)

SMCJPRP’s website claims they helped Ypsilanti and Ann Arbor reimagine policing. But it appears the crime rate in those towns shot up after SMCJPRP “helped” them. For example, Ann Arbor homicides were previously rare but the town has suffered a streak of them recently.

So as part of “reimagining” Chelsea policing, the SPG began the process by “surveying” some 13 Chelsea residents in the of winter 2023.

Examination of the “comments” gathered from the “13 respondents” shows fewer than 13 responses to the “survey.” Respondents’ comments included police should “Smile more” and “Wear khaki.”

In one public meeting, Chief Kazyak even quoted the professors from SMCJPRP as saying 13 respondents was too small a sample. But a major discrepancy surfaced because Mayor Pacheco

immediately countered that “40 community members” were surveyed. Chief Kazyak reiterated “13 respondents.”

For what it’s worth, Chelsea City Hall is small. To put 40 people even in the council chamber would be a tight squeeze. Moreover, our city hall does not have so many events that a 40-attendee meeting would go unremarked. It would occasion a great deal of discussion and wouldn’t be quickly forgotten.

So it appears Pacheco lied. Our question is, why?

Was she attempting to hide fraud?

The public doesn’t know how the 13 respondents were chosen for the survey. We don’t even know whether the 13 are actually Chelsea residents. That would seem an obvious requirement but it’s an important point because subsequent actions by the SPG have made it clear *they don’t care* whether respondents reside in Chelsea.

Chelsea’s general public only became aware of the SPG after Chelsea police officers spoke out about likely violations of the Open Meetings Act. For example, Chelsea police officers were marched into one of the SPG meetings in March 2023. The officers stood for 15 minutes to view the new “Draft Mission Statement for the Chelsea Police Department.” Then the officers were marched back out the door.

“The SPG?” one police officer told me. “It’s garbage.”

There have been so many attempts to hide what’s going on, it can’t *all* be incompetence. For example, it was only *after* police officers told Chelsea residents what the SPG was up to that the SPG held its first *open* meeting on May 23rd, 2023.

The community meeting started with Professor Kevin Karpiak, the lead sociology professor from SMCJPRP, making a presentation to the public at Chelsea’s middle school.

Karpiak announced the SPG was launching another “survey.” But the professor *would not or could not* explain “equity vs. equality.” Nor would he define what the acronym “SWOT” was even though “SWOT” was on the slide he was projecting at that moment. [SWOT is usually an abbreviation for “Strengths-Weaknesses-Opportunities-Threats.”]

After 45 minutes of Karpiak’s presentation, attendees lost patience and began calling out questions.

At that point, City Council members Bill Ruddock and Tony Iannelli yelled at attendees to be quiet and stop asking questions. I was one of several attendees who responded, “Let citizens speak!”

The meeting became chaotic with attendees talking simultaneously. Police Chief Kazyak then took over from Professor Karpiak and fielded all further questions from attendees.

After another half hour, Chief Kazyak terminated citizen questions and repeatedly asked attendees to respond to 6 survey questions.....using Post-It notes.

—> There were 6 posters taped to the walls of that room. Each poster had a survey question written on it. We attendees were instructed to write our comments on the Post-It notes provided, then stick our Post-It note comments on the appropriate survey poster.

—> No attempt was made to ascertain whether those who responded to this “survey” were Chelsea residents.

— No effort was made to monitor whether any Post-it notes were removed by attendees who had opposing views.

This “survey” was like a bad skit on *Saturday Night Live*.

But it appears that community meeting taught the SPG they needed to be more clandestine. So they scheduled subsequent public meetings for 2 pm every other Wednesday — ensuring most working people couldn’t attend — and frequently cancelled the meetings as well.

That may also have been when the SPG created its “subcommittee.” Defendant Pacheco has repeatedly stated she had private SPG meetings with Chief Kazyak as well as multiple meetings of the SPG “subcommittee.” We have no idea how many such meetings there have been.

At an SPG meeting in June 2023, Chief Kazyak read a statement from Defendant Fink that “because of the way the committee was created, it is not subject to the Open Meetings Act. Nor does the SPG have to allow public comment.” Nonetheless, Kazyak then said they would observe OMA strictures.

But the SPG “subcommittee” makes it hard to believe they have.

In addition, a member of the Chelsea Human Rights Commission came to multiple public SPG meetings as well. She is Defendant Joanne Ladio and she repeatedly told the SPG they didn’t need to allow public comment.

After several public meetings where citizen comment was allowed, Ladio became so irate she yelled at citizens to shut up.

Chief Kazyak then shouted “Joanne, stop!” (Video available.)

It was astonishing. And Ms. Ladio was never seen at another SPG public meeting.

When SPG members debated what form the second survey should take, they started to settle on an electronic survey. I protested, “Not everyone is good with computers. What part of surveys mailed to Chelsea residents did I miss?”

Perhaps as a result, the SPG announced they would circulate a third round of “surveys” by handing out survey sheets at Chelsea summer festivals and farmers markets. The Court should be aware that Chelsea’s weekly “Sounds & Sights” festivals draw attendees from all over Michigan. [“Visitors from near and far” as the Presenting Sponsor was quoted a few years ago.]

Once again, no attempt was made to ascertain whether respondents were actual Chelsea residents. Adding insult to injury, SPG surveys were even handed out to children at the festivals.

To complete the fraud, a drop-box box was placed at Chelsea City Hall to collect the anonymous survey responses with a deadline of June 30, 2023. No attempt was made to ascertain whether any respondents were actual Chelsea residents.

But Chelsea police could tell what was going on. As one long-serving Chelsea officer said, “Police don’t have to work here. We can work anywhere.”

Conclusion:

A year ago, I called our county sheriff’s department and told them Chelsea’s mayor broke the law.

They said: “Have your police chief arrest her.”

I said: “But our police chief quit!”

Then I called the U.S. marshals.

They said: “Contact your county sheriff.”

I said: “I did. They said to call our police chief!”

Finally I called the FBI.

They said: “We’ll open a file.”

I said: “Thanks a lot.”

....Crickets.

Your Honor, we Chelsea residents may live in a small town but we aren't completely stupid. We see how the Chelsea gang rigged this "survey" and we know what's happened to cities where the police were subverted as they've been in New York, San Francisco, Los Angeles, New Orleans, Austin.....

Police call-outs in Chelsea are up more than 50% year-over-year. A tent city exists 6 miles from Chelsea. Illegal migrants are being dropped off behind the Home Depot a half-hour from Chelsea.

Yet instead of deporting illegals, members of Chelsea City Council and Human Rights Commission keep saying *we should find housing for them*.

Whose side are these people on???

The Chelsea gang wants a Citizen Oversight Committee that will allow them to further subvert our police department, just as SMCJPRP subverted neighboring Ann Arbor where murder was rare until recently.

But the gang's pretense that a fake survey represents the will of Chelsea citizens is clear and obvious fraud. It's a criminal deprivation of our rights under color of law and we beg the Court to give us justice.

#### **IV. Relief**

I implore the Court to

- 1) issue an injunction to halt this fraud
- 2) appoint a magistrate to clean out the corruption in Chelsea

#### **V. Certification and Closing**

Date of signing: November 20th, 2023

Signature of Plaintiff: Gaye E. Morgenthaler

